AMENDMENTS TO THE CLAIMS

1-3. (Cancelled)

4. (Currently Amended) A polynucleotide cassette comprising an hTERT promoter operably linked with an E1A gene, an IRES sequence, and an E1B gene in this order, wherein the cassette is capable of replicating in a local cancer area, and wherein the hTERT promoter consists of the nucleotide sequence of SEQ ID NO: 4, the E1A gene consists of the nucleotide sequence of SEQ ID NO: 1, the IRES sequence consists of the nucleotide sequence of SEQ ID NO: 3, and the E1B gene consists of the nucleotide sequence of SEQ ID NO: 2.

5. (Previously Presented) A recombinant virus comprising the polynucleotide according to claim 4.

6. (Original) The virus according to claim 5, wherein the virus is an adenovirus.

7. (Previously Presented) An anticancer agent comprising the virus according to claim 5 as an active ingredient and a pharmaceutically acceptable carrier, excipient or diluent.

8. (Currently Amended) A method of killing cancer cells, comprising the step of:

locally administering an effective amount of the recombinant virus according to claim 5 to a patient in need thereof, such that the recombinant virus is capable of replicating in a local cancer area of the patient, and wherein replication of the recombinant virus kills the cancer cell in the local cancer area.

9. (Previously Presented) The method according to claim 8, wherein the cancer is at least one cancer selected from the group consisting of stomach cancer, large bowel cancer, lung cancer, liver cancer, prostate cancer, pancreas cancer, esophagus cancer, bladder cancer, gallbladder/bile duct cancer, breast cancer, uterine cancer, thyroid cancer and ovarian cancer.

10. (Previously Presented) The method according to claim 9, wherein the cancer is at least one selected from the group consisting of osteosarcoma and brain tumor.

11. (Previously Presented) A method of killing cancer cells, comprising the step of:

locally administering an effective amount of the anticancer agent according to claim 7 to a patient in need thereof, such that the virus is capable of replicating in a local cancer area of the patient, and wherein replication of the recombinant virus kills the cancer cell in the local cancer area.

12. (Previously Presented) The recombinant virus according to claim 5, wherein replication of the virus kills the cancer cell in the local cancer area.

13. (New) A polynucleotide cassette comprising an hTERT promoter operably linked with an E1A gene, an IRES sequence, and an E1B gene in this order, wherein the cassette is capable of replicating in a cancer cell, and wherein the hTERT promoter consists of the nucleotide sequence of SEQ ID NO: 4, the E1A gene consists of the nucleotide sequence of SEQ ID NO: 1, the IRES sequence consists of the nucleotide sequence of SEQ ID NO: 3, and the E1B gene consists of the nucleotide sequence of SEQ ID NO: 2.

14. (New) A recombinant virus comprising the polynucleotide according to claim 13.

15. (New) The virus according to claim 14, wherein the virus is an adenovirus.

16. (New) An anticancer agent comprising the virus according to claim 14 as an active ingredient and a pharmaceutically acceptable carrier, excipient or diluent.

17. (New) A method of killing cancer cells, comprising the step of:

administering an effective amount of the recombinant virus according to claim 14 to a patient in need thereof, such that the recombinant virus is capable of replicating in a cancer cell of the patient, and wherein replication of the recombinant virus kills the cancer cell.

18. (New) The method according to claim 17, wherein the cancer is at least one cancer selected from the group consisting of stomach cancer, large bowel cancer, lung cancer, liver cancer, prostate cancer, pancreas cancer, esophagus cancer, bladder cancer, gallbladder/bile duct cancer, breast cancer, uterine cancer, thyroid cancer and ovarian cancer.

19. (New) The method according to claim 18, wherein the cancer is at least one selected from the group consisting of osteosarcoma and brain tumor.

20. (New) A method of killing cancer cells, comprising the step of:

administering an effective amount of the anticancer agent according to claim 16 to a patient in need thereof, such that the virus is capable of replicating in a cancer cell of the patient, and wherein replication of the recombinant virus kills the cancer cell.

21. (New) The recombinant virus according to claim 14, wherein replication of the virus kills the cancer cell.